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A Report Upon
LAND USE AND ZONING
Champaign, Illinois

Prepared by
Harland Bartholomew and Associates
City Planners
St. Louis, Missouri

November, 1956

HARLAND BARTHOLOMEW AND ASSOCIATES

CITY PLANNERS - CIVIL ENGINEERS - LANDSCAPE ARCHITECTS

317 NORTH ELEVENTH STREET

SAINT LOUIS 1, MISSOURI

GARFIELD 1-2107

HARLAND BARTHOLOMEW
RUSSELL H. RILEY
HARRY W. ALEXANDER
ELDRIDGE LOVELACE

JUNIOR ASSOCIATES
CLAIRE AVIS

CHARLES P. CLAYTON WILLIAM S. POLLARD, JR.
D. W. HUTTON FREDERIC M. ROBINSON
R. B. JONES J. M. STEVENS
JAMES E. LASH DONALD WOLBRINK

711.5.73
2356
cap. 2

November, 1956

The Plan Commission
City of Champaign, Illinois

Gentlemen:

In accordance with our agreement, we are pleased to submit herewith a report upon land uses in Champaign together with suggested amendments to the Zoning Ordinance.

Champaign has enjoyed many benefits from present and previous zoning ordinances which have been in effect for more than a quarter century. These regulations have resulted in a reasonably compact and logical development pattern. However, an unexpected growth of the University of Illinois and of the City itself have brought about complex problems which require a complete re-evaluation of the zoning program.

Extensive studies have been made and data compiled providing a sound basis of fact for this re-examination. These data, which are made a part of this report, aid not only in the present evaluation but, with a minimum of effort, they can be kept current to assist the Commission in subsequent zoning problems.

During the preparation of these studies we have received the most helpful cooperation and assistance from a number of city officials. We particularly wish to acknowledge the cooperation of the City Engineer and the Building Inspector.

Respectfully submitted,

HARLAND BARTHOLOMEW AND ASSOCIATES

By

J. Minard Stevens

TABLE OF CONTENTS

	<u>Page</u>
INTRODUCTION	1
EXISTING LAND USE	4
General Land Use Pattern	6
Areas of Land Use	9
Land Use and Population	10
Lot Area per Family	12
THE EXISTING ZONING ORDINANCE	15
Area of Existing Zoning Districts	15
Principal Deficiencies	17
PROPOSED AMENDMENTS TO THE ZONING ORDINANCE	19
District Regulations	19
Changes in Miscellaneous Regulations	23
Location of Districts	24
Comparison of Zoned Areas	26
ADMINISTRATION AND ENFORCEMENT	28
APPENDICES	
Proposed Zoning Ordinance	
Land Use Statistics	

INDEX TO TABLES

<u>Table</u>		<u>Page</u>
1	Land Uses - 1956	9
2	Land Uses per Units of Population - 1956 .	10
3	Comparison of Land Use and the AREAS OF EXISTING AND PROPOSED ZONING DISTRICTS . .	26

INTRODUCTION

Zoning is not a new regulation to the City of Champaign. The primary aims and many benefits of this type of regulation are widely understood and accepted. Since the adoption of the original ordinance in 1926, which did much to guide development into the present sound and logical pattern, zoning regulations have undergone progressive modification, taking cognizance of new zoning techniques and the changing requirements and conditions of urbanization. A major zoning revision in 1950 followed the preparation of the Comprehensive Development Plan for Champaign-Urbana.

This new ordinance brought about closer correlation between zoning and planning aims by restricting residential uses from areas set aside for industrial development. It provided for minimum lot sizes in future residential areas. Greater emphasis was placed upon the protective features of zoning with the introduction of districts reserved solely for single family residences and allied uses. The ordinance also recognized the difference in character of the central business district and neighborhood shopping facilities. These and other modifications, in the light of several years of administrative experience, have proven to be sound.

During the period since the adoption of the 1950 ordinance, Champaign has experienced a considerable growth. Substantial tracts have been developed as spacious new residential areas which have been annexed to the City. Coincident with the added population have come a series of zoning problems which involve the demands for commercial area and the transition from residential to the more intensive uses. The question of where and how much commercial area frequently plagues the Commission and the City Council.

At the time the Comprehensive Development Plan was prepared, a considerable volume of data was secured which would contribute to zoning decisions for the administering agencies. Unfortunately these data were placed in the hands of an unofficial planning agency which was created especially to direct the preparation of the plan. Upon completion of its primary assignment the special committee became defunct and all planning data slowly dissipated. Local planning groups, endeavoring to administer the plan, were left without suitable data upon which to formulate decisions.

The purpose of the present report is that of:

- (a) compiling necessary land use data to aid in future zoning determinations in Champaign,

- (b) analyzing the present zoning ordinance and district map to determine what changes are indicated in light of the above data,
- (c) the preparation of the text of a revised ordinance and a new zoning map.

EXISTING LAND USE

Illinois zoning legislation clearly indicates the conditions which must be considered in making and revising zoning regulations. Of utmost importance is the consideration of the existing character of development; and the amount of land set aside for various purposes must be reasonably related to present and future needs for residential, commercial, and industrial purposes.

Procedure

In order to provide a true picture of existing development in Champaign and its immediate environs, a land use survey was conducted in June and July of 1956 in which every parcel of property was inspected as to type and extent of use. To establish the character of residential development, the area of each lot occupied by a residential structure was calculated and divided by the number of families in occupancy in order to determine lot area per family. Special attention was given the location of rooming houses.

For the purposes of this study, land uses in the City were classified in one of eleven major classifications. These are:

1. Single-family residences
2. Two-family residences

3. Multiple dwellings (including three or more units, rooming houses, boarding houses, fraternities and sororities)
4. Commerce, including retail stores and offices
5. Light industry -- wholesale, warehouse and light manufacturing establishments
6. Heavy industry including junk yards
7. Railroads
8. Publicly owned parks and playgrounds
9. Semi-public and public property such as schools, churches, and institutions
10. Streets and alleys
11. Vacant land or agricultural land

Field data as to the extent and type of land use was transcribed in color on a map of the City to portray graphically a detailed and comprehensive picture of present development. Likewise, from the field data, the area of any lot occupied by a residential structure was calculated and said area divided by the number of dwelling units in the structure to provide evidence of range of lot areas per family and their location. This information has also been transcribed in color on a map of the City. Since these multi-colored maps are not readily reproducible, they are submitted separately as wall maps.

The amount of land utilized by each of the major land use classifications above was carefully compiled in tabular form to provide a basis for determining adequacy

of zoning districts. In order that this data have the widest range of application to future zoning problems, tabulations have been prepared for the several neighborhoods established in the Comprehensive Development Plan. Where such neighborhoods did not lay wholly in the City of Champaign, data has been compiled only upon the area in the City. Further, when such neighborhoods were extremely large and physical barriers provided a reasonable division, the data was compiled on the smaller unit. These data are given in Appendix B.

General Land Use Pattern

The most significant features of the development pattern of Champaign is its compactness and the relatively small amount of industrial-commercial intrusion into residential areas.

The development pattern has been dominated by two principal elements -- the University of Illinois and the Illinois Central Railroad. Industry has tended to locate along the route of the Illinois Central, creating a broad bank of light and heavy industrial development from north to south city limits. To a lesser degree, industry has also developed along the right-of-way of the New York Central. Industrial concentration is greatest at the point of interchange between the two railroads.

The central business district has developed immediately west of the Illinois Central tracks approximately midway between the northern and southern corporate limits. The district is limited on the west by the park and therefore has had a tendency toward elongation north and south. Other commercial development has had a tendency toward following a few major thoroughfares such as South Neil Street, University Avenue, and Green Street. A small business district of some extent has developed adjacent to the University for a distance of a block on each side of Green Street. No other neighborhood districts of import are apparent though a few business uses have concentrated at strategic intersections.

The University of Illinois is not only an important element in the land use picture because of its gross area but has exercised a fundamental influence on the character of the development. Normally, limited areas of high density residential uses are found adjacent to the central business districts in communities the size of Champaign. The University has created a second focal point for this type of use and presently much of the area east of the Illinois Central is devoted to a complex of multiple family and rooming house uses, creating the most densely populated area of the City. Aside from this general area, multiple family use is concentrated

immediately west of the principal business district and westerly along Church Street and Springfield Avenues.

Two-family dwelling uses are rather widely spread throughout the University area and the older areas of north Champaign. This use has also spread westerly in considerable numbers to Prospect Avenue. Between the westerly spur of the Illinois Central and Church Street, a considerable number of two-family residences are to be found either widely scattered or in small concentrations.

Single-family residential use predominates with many major areas south of John Street and west of Prospect Avenue being devoted exclusively to this use. Though industrial and commercial uses tend to break up the northwest into smaller areas, said areas are exclusively used for single-family residence.

Except for the Country Club and the University, other parks, playgrounds, public and semi-public uses are relatively small areas whose principal effect is to create needed open spaces in an otherwise compact development pattern.

The street system is basically rectangular with relatively small blocks and therefore a rather large part of the total corporate area is devoted to streets and alleys. Particularly in the south and southwest a desirable tendency toward large blocks is shown.

Table 1
 LAND USES - 1956
 Champaign, Illinois

Use	City of Champaign		Average of 28 Cities*		
	Area in Acres	Percent Total Area	Percent Developed Area	Percent Total Area	Percent Developed Area
Single-family Res.	1194.5	34.1	38.1	17.10	34.08
Two-family Res.	140.9	4.0	4.5	1.88	3.75
Multiple Dwelling	168.0	4.8	5.4	.87	1.73
Public & Semi-public	415.9	11.9	13.3	6.65	13.25
Parks & Playground	40.0	1.1	1.3	2.55	5.08
Commercial	87.1	2.5	2.8	1.58	3.14
Light Industry	89.3	2.8	2.8	1.39	2.78
Heavy Industry	29.5	0.8	0.9	1.44	2.87
Railroad	107.6	3.1	3.4	2.50	4.99
Streets	<u>862.3</u>	24.7	<u>27.5</u>	14.21	<u>28.33</u>
Developed Area	3133.4		100.00		100.00
Vacant	<u>364.5</u>	<u>10.4</u>		<u>47.01</u>	
Total Area	3497.9	100.00		100.00	

* Land Uses in American Cities - Harland Bartholomew - 1955
 28 Cities with Populations under 50,000

Areas of Land Use

The land use survey and the resulting wall map shows urban uses both for the City and for the immediate environs to the north, west, and south.

The compilation of data as to land use areas shown on Table 1 covers only the 3,500 acres of land within the corporate limits of the City. The table shows the area occupied by each of the classifications of land use and the percentage that each classification represents of the total City area and of the developed areas of the City. Similar data is shown for 28 other cities having less than 50,000 population where similar surveys have been conducted.

Several significant facts are apparent from the table.

1. The City is almost completely developed. With less than 10 percent of the total City area vacant, there is little room within the present corporate limits for expansion of any use except by displacement. Since Illinois law makes the annexation of undeveloped areas difficult, Champaign will probably grow by accretion of new subdivisions, platted or in the process of development.

2. The relatively high percentage of multiple dwelling and rooming house uses -- more than three times greater than the average of the 28 comparative cities -- is a result of student and faculty housing needs. With continuing growth of the student body anticipated, this use will probably expand proportionately.

3. Park and playground area is far below desirable standards and represents only one-tenth of one percent of the total developed area -- less than one-fifth that found in the comparative cities.

Table 2

LAND USES PER UNITS OF POPULATION - 1956

Champaign, Illinois

Use	City of Champaign			*28 Cities
	Acres per 100 Persons			Acres per 100 Persons
	Acres	Total Pop.	Non-student Population	
Single-family Res.	1194.5	2.71	3.42	3.40
Two-family Res.	140.9	.32	.40	.37
Multiple Dwelling	168.0	.38	.48	.17
Public & Semi-public	415.9	.94	1.19	1.32
Parks & Playgrounds	40.0	.09	.10	.51
Commercial	87.1	.20	.25	.31
Light Industry	89.3	.20	.25	.28
Heavy Industry	29.5	.07	.08	.29
Railroad	107.6	.24	.31	.50
Streets	862.3	1.95	2.47	2.82
Developed Area	3133.4	7.10	8.95	9.97
Vacant	364.5	.83		
Total Area	3497.9	7.93		

* Land Uses in American Cities - Harland Bartholomew - 1955
Average of 28 Cities with Population under 50,000

4. Industrial and railroad uses represent proportionately less of the developed area of the community than in the comparative cities.

5. Commercial development represents a rather surprisingly small part of the total development and a smaller proportion than in the other 28 cities.

Land Use and Population

Relating urban land use to population affords valuable information for estimating land use requirements. Table 2 shows the ratio of the area occupied by each of the categories of land use to each one hundred persons of the 1956 population. Comparable figures are given for the 28 comparative cities. This data for Champaign is shown as a product of the total population and the population less the student body.

Present Population

Since the 1950 census, Champaign has annexed a considerable area within which is located 1,307 dwelling units according to the land use survey. At an average occupancy of 3.5 persons per dwelling unit, an increase of 4,500 persons would be produced. Therefore, it is estimated that the present population of Champaign is approximately 44,100 of which 9,200 represent student population. For purposes of the following comparison this estimated population has been used.

Table 2 again verifies that Champaign is developed to a somewhat greater density than other cities its size. Based upon the non-student population, 8.95 acres is used for each 100 persons of the population. The comparative cities averaged 9.97.

The figures show that when non-student population is considered Champaign compares very favorably with other cities of the same size in the area devoted to single-family and two-family dwellings. In the classification of multiple dwellings almost three times as much area per 100 persons is used as in comparative cities.

Inasmuch as industry is not as important a part of the economy in Champaign as in many other cities (only 48 production workers per 1,000 of population in 1947) it is not surprising to see a somewhat smaller area per 100 persons devoted to industry and railroad uses. The fact that Champaign has no substantial heavy industrial zoning probably has contributed to this situation.

A comparison between Champaign and other cities of the amount of land devoted to commercial uses is astounding. With a large student population adding to the normal purchasing power of the remainder of the community, it would appear that commerce and the professions should enjoy a favorable position. Nevertheless fully 20 percent less area (.25 acres) is used per 100 persons of the

year-around population than in other cities. (In 1953 there were only 103.2 proprietors and employers per 1,000 of the population engaged in retail.)

Champaign has a relatively few large tracts of public and semi-public areas and only two major park and playground areas. A total of 1.29 acres is devoted to these uses per 100 persons of the non-student population which is 34 percent less than other communities. These figures again indicate a compactness of development with a minimum of permanent open space. A major part of all such space in the community is found in the University grounds.

Lot Area per Family

The control of population density or the limitation of the number of living units that can be erected on each lot or tract is an extremely important part of zoning. Together with yard regulations, this constitutes the principal means of insuring spaciousness which is most important in protecting the character and conserving values in residential neighborhoods.

The accompanying map shows lot area per family classified as to nine different sizes ranging from less than 500 square feet to more than 10,000 square feet. A special study was made of the intensively developed rooming house district adjacent to the University, which area has been excluded from the lot area per family study.

The map shows a rather spotty condition through most of the City with some of the most spacious residential development badly interspersed with dwellings on very small lots or high density apartments. In portions of the community devoted to purely single-family development there is considerably greater consistency.

In the vicinity of the Country Club and Hessel Park a very substantial development has occurred on lots exceeding 10,000 square feet. Outside the City, Lincolnshire subdivision consists largely of lots which could conform to the above area. This size of lot is also found in several other small areas which are widely scattered in the City. These are: (1) north and south of Green Street from Victor to Russell; (2) adjacent to University Avenue from Russell to New Street; (3) on the north side of Hill Street from James to Harris Street; (4) along Green from Prospect to Elm Street; and (5) along Elm from John to Charles Street.

Lot areas between 7,500 and 10,000 square feet are considerably more numerous; however, they are to be found in widely scattered and in relatively small concentrations. The major of these areas are: (1) easterly from Mattis Avenue and south of Green; (2) the general area of Springfield Avenue and McKinley Street; (3) the vicinity of New and Charles Streets; and (4) along both sides of North Neil Street north of Bradley.

Lot areas ranging from 6,000 to 7,500 square feet are found in concentration in only three major areas. These are: (1) in the general area of McKinley and John Streets; (2) north and south of University Avenue easterly from Mattis Avenue; and (3) along McKinley Street south of the New York Central Railroad.

Lesser lot areas, particularly those ranging from 3,000 to 6,000 square feet, are widely scattered in single-family areas. Because of the very extensive area over which two-family and multiple unit structures are spread, the smaller lot area classifications are seen interspersed into the more spacious development in a very large part of the older city.

THE EXISTING ZONING ORDINANCE

Champaign's present zoning ordinance, which was prepared as a part of the Comprehensive Development Plan, has been critically examined as to content and form. This review disclosed a few weaknesses in the document itself, but essentially it appears to be a good and sound regulation. Following this examination, the zoning map was taken into the field for careful inspection as to how these regulations fit field conditions.

Area of Existing Zoning Districts

<u>Land Use Classification</u>	<u>Area in Acres</u>	<u>Percent Zoned Area</u>	<u>Existing Zoning District</u>	<u>Area</u>	<u>Percent Zoned Area</u>
Single-Family Residence	1194.5	45.3	R-1	795	30.2
Two-Family Residence	140.9	5.3	R-2	850	32.2
Multiple Dwelling	168.0	6.4	R-3,R-4	502	19.0
Allied Residential Uses	<u>455.9</u>	<u>17.4</u>			
Total Residence & Allied	1959.3	74.4		2147	81.4
Commerce	87.1	3.2	B-1,B-2	130	5.0
Light Industry	89.3	3.3	I-1	359	13.6
Heavy Industry	29.5	1.1	I-2	1	-
Railroads	<u>107.6</u>	<u>4.1</u>		-	
Total Industry and Railroads	226.4	8.5		360	13.6
Vacant	364.5	13.9			
Total Zoned Area	2637.3	100.0		2637	100.0

The above tabulation compares present land use with area of zoning districts now in existence. For purposes of this comparison the zoned area is the total area of the City less dedicated streets. To facilitate the comparison parks, playgrounds, public and semi-public uses are included in the general classification of residences and allied uses since these uses occur primarily in areas zoned for residence purposes. Similarly, since most railroad usage is located in industrial districts, it has been combined with the industrial uses to compare with industrial zoning.

The table indicates that 45.3 percent of the gross zoned area is devoted to single-family residence as compared to only 30.2 percent of said area on the zoning district map being set aside exclusively for this use. This indicates serious consideration should be given further protection of the single-family use.

Two-family residence uses occupy five percent of the gross area while more than six times that amount is set aside for this use. This relationship between use and zoned area is somewhat exaggerated by the presence of the University of Illinois in the R-2 district. This, however, accounts for only about one-quarter of the area of the district.

Multiple dwelling uses occupy 6.4 percent of the gross area whereas the zoning districts providing for the use covers 19 percent of the zoned area,

Residential and allied uses occupy about three-fourths of the total area whereas 81 percent of the City is zoned for residential uses. While the gross residential zoning is in keeping with present use, there is obvious need for adjustment between types of residential uses,

The table further reveals that the area of present commercial use represents about three-fifths of the present commercial zoning. This is rather tight zoning on commercial uses, and an attempt to loosen it up in demand areas is desirable.

Industrially zoned area is approximately 60 percent greater than existing use. This is a somewhat misleading figure since a great deal of commercial development is located in the industrial zones.

Principal Deficiencies

When the present development in Champaign is critically compared to the zoning ordinance and map, the following principal deficiencies are apparent.

1. Inadequate protection for single-family residences.
 - a. This use is predominant through some of the area now zoned for two-family and multiple residence.

- b. The present minimum lot size of 6,000 square feet is unrealistic in terms of a majority of present single-family development.
2. Two-family and multiple residence zones should be more realistic as to extent and location.
- a. A corollary to 1-a above, areas now in predominantly single-family development should be restricted to that use.
 - b. Industry, historically, has not extensively moved into completely developed residential areas due to high cost, multiple ownerships, and small parcels. Such areas should be retained in a residential use.
3. A finer delineation should be made between types of business districts.
- a. Central business zoning should be reserved to the core area of the City only.
 - b. An intermediate commercial area is needed to accommodate a greater scope of uses than is permitted in the purely neighborhood centers.
4. Parking regulations should be more comprehensive. Provisions should be made allowing certain uses to provide required parking on an adjacent lot or within three hundred feet of the use.
5. Minor text revisions for sake of clarity. This would include additional definitions and other language clarifications to aid administration.

PROPOSED AMENDMENTS TO THE ZONING ORDINANCE

The proposed revisions to the zoning ordinance consist of a series of text modifications -- the most important of which are discussed later in this section -- and a new zoning district map. The text modifications are embodied in a complete redraft of the zoning ordinance to facilitate its study of the document in its entirety and in a manner that the revised zoning ordinance, including the changes, can be adopted as a single amendment. Boundaries of the proposed districts as shown on the map conform as closely as possible to current land uses at the same time allowing some room for the expansion of all phases of urban development. In a community as completely developed as Champaign the relationship between existing use and zoned areas must be somewhat closer than in cities where a high percentage of vacant land adaptable to several uses allowing ample room for expansion. A primary requirement of the zoning ordinance, then, is that it carefully maintain the existing character of development.

District Regulations

A total of ten zoning districts are provided rather than the eight contained in the present ordinance. Use, height, and area regulations of the original districts remain unchanged except for a few notable examples

mentioned below. The amended ordinance would contain five residence districts, three commercial districts, and two industrial districts. A brief discussion of the important changes in regulations of each district follows.

"R-1A" and "R-1B" Single Family Districts

Two single-family districts are proposed, the use regulations of which are similar to the present R-1 district. In addition to single-family residences, churches, schools, parks and playgrounds, home gardens, and private schools would be permitted. Additional two-family dwellings are permitted in the R-1B district where the frontage on one side of a street is forty percent built-up with such a use. Such a regulation allows the substantial reduction of the two-family districts and yet does not create a hardship when extensive conversion occurs in a small area. Parking regulations of the district would require off-street parking space for dwellings, churches and other places of public assembly. Existing height regulations of 2-1/2 stories and 35 feet would remain unchanged. The major difference between the two districts is in the intensity of use which requires 10,000 square feet of lot area and an average width of 80 feet in the R-1A as compared to 7,200 square feet of area and an average width of 65 feet in the R-1B,

These districts, being considerably larger than the present R-1 district, will provide more adequate protection for single-family dwellings and preserve the spacious type of development that now prevails.

"R-2" Two-family District

This district is identical to the present district except that boarding and rooming houses are eliminated. The intensity of use engendered by rooming houses in Champaign should not be allowed where 3,000 square feet of lot area per family is the maximum density. As many as two roomers would, however, still be permitted in a home.

"R-3" and "R-4" Multiple Family Residence Districts

Except for the restriction of hotels and undertaking establishments from the "R-4" district the use regulations of the districts remain as presently in force. Parking space is required of all uses including rooming houses, fraternities, and sororities. Identical density requirements are established for all multiple dwellings at 1,000 square feet per family.

"B-1" Neighborhood Business

The use regulations of this district permit purely local retail and personal service shops to serve surrounding area. Tourist camps and business colleges are removed from the now-permitted uses while single and two-family dwellings would be permitted within the district. There is no

apparent reason why now existing residence structures in this zone should be made non-conforming. Parking space would be required of all uses. Height is restricted to 2-1/2 stories or 35 feet with maximum density at 3,000 square feet of lot area per family.

"B-2" Commercial

This district permits a wider range of uses than the B-1 and would include garages, motels, drive-ins, and printing shops in addition to retail and service establishments. Parking regulations are the same as the B-1. Building height would be limited to three stories or 45 feet.

"B-3" Central Business

The regulations of this district remain essentially the same as the present central business zone. In addition to retail and service establishments, wholesale uses are permitted. Buildings may be erected to a height of seventy-five (75) feet. Parking is not required in the district except for dwelling structures.

"I-1" and "I-2" Industrial Districts

The regulations of these districts remain essentially the same as in the existing ordinance except that multiple dwellings and hospitals are restricted from these zones. Parking regulations are placed upon all uses on the basis of one space for each three employees or one space per

600 square feet of floor area, whichever is greater. A height of 75 feet is permitted in both districts.

Changes in Miscellaneous Regulations

Parking Regulations

The comprehensive parking regulations have been revamped to cover all uses. Article XV of the revised ordinance contains a list of uses for which parking requirements are uniform in all districts except the central business district.

Nonconforming Uses

As presently drawn, this section makes nonconforming any existing structure which does not comply with the use, height, or area regulations of the ordinance, and therefore prohibits structural alteration of a building if the side yard is insufficient in width. It is felt that since the Board of Appeal has the power to grant such variation to new structures, existing structures so located should not be penalized. The section regulating nonconformity is reworded to be applicable to uses which do not conform to district regulations.

Board of Appeal

The jurisdiction of the Board is increased to allow accessory parking uses within 300 feet of particular uses irrespective of district, provided adequate surfacing, screening, and other protection is afforded adjacent

properties. The jurisdiction of the Board is separated into three distinct categories and their power under each is listed. This is done as an aid to defining the Board's total powers and the type of cases they may act upon.

Location of Districts

The location and extent of the proposed districts are shown on the district map which is inserted in the back cover of this report. A comparative examination of the proposed boundaries with the existing land use map will show that these new boundaries have been closely related to existing development.

A major change in the district map is the extent of the single-family area. The amount of such zoning has been increased by 60 percent and now includes: practically all area west of Prospect Avenue; southwest of State and John Streets; and along most of the corporate limits to the north. Within this area, that which is designated "R-1B" has a considerable range of lot areas from 6,000 to 10,000 square feet. Since it is almost completely developed, it was desirable to hold the lot area as high as possible and still be reasonable.

The ordinance makes provision for the use of individual lots of public record even if they do not possess adequate area or width. Therefore, an excessive requirement for lot area would have the primary effect upon a

multiple of two or more lots held under a single ownership. Areas were computed on vacant lots found in such a series with the result that the majority of such lots considerably exceed 7,200 square feet, which was established as the minimum lot size in the single-family districts.

The excessive area of the two-family district was reduced to approximately one-quarter of its present acreage and very closely follows the principal concentrations of this use outside the multiple dwelling district.

The R-4 district has been expanded in the vicinity of the University to include the frontage of Springfield Avenue. This district is also proposed along Randolph Street from John to White Streets.

Business zoning has been considerably modified. The R-4 zoning on Randolph Street above replaces the B-1 Neighborhood Business zoning in effect. Its relation to shopping facilities along Neil Street and to the central business district makes questionable the present zoning. High density residential use in this area would be a desirable transition between business and less dense residential uses.

All of Green Street east of the railroad has been changed to a B-1 Neighborhood Business Area to provide retail and service uses to this high density area. Also, the business district in the vicinity of Green and Sixth Streets has been changed to the neighborhood classification.

Table 3
 Comparison of Land Use and the
 AREAS OF EXISTING AND PROPOSED ZONING DISTRICTS
 Champaign, Illinois

<u>Land Use</u>	<u>Area in Acres</u>	<u>Existing Zoning District</u>	<u>Zoning Acres</u>	<u>Per Cent</u>	<u>Proposed Zoning District</u>	<u>Zoning Acres</u>	<u>Per Cent</u>
Single-Family Residence	1194.5	R-1	795	30.2	(R-1A (R-1B	329 1051	12.5 39.8
Two-Family Residence	140.9	R-2	850*	32.2	R-2	192	7.3
Multiple Dwelling	168.0	(R-3 (R-4	394 108	19.0	R-3 R-4	240 407*	9.1 15.4
Allied Residential Uses ⁺	455.9						
Total Residence and Allied	1959.3		2147	81.4		2219	84.1
Commercial	87.1	(B-1 ((B-2‡	42 88	5.0	B-1 B-2 B-3‡	41 53 48	1.6 2.0 1.8
Total Commercial	87.1		130	5.0		142	5.4
Light Industry	89.3	I-1	359	13.6	I-1	244	9.3
Heavy Industry	29.5	I-2	1	-	I-2	32	1.2
Railroads	107.6						
Total Railroad and Industry	226.4		360	13.6			10.5
Vacant Land	364.5						
Total Zoned Area	2637.3		2637	100.0		2637	100.0

*217 acres of University of Illinois campus included in zoning district

⁺Public, semi-public, parks and playgrounds

[‡]Central business zone

The proposed intermediate business district "B-2" is shown in primarily three areas. These are: First Street from Springfield Avenue to Hill Street; University Avenue from First to Wright Street; and North Prospect Avenue between Sherwood Terrace and Bloomington Road.

The Central Business zoning, now called "B-3" remains much the same except in the University area. Minor changes were also shown in the north of the present district.

A primary change in industrial zoning occurred in the vicinity of Washington and Oak Streets. This completely developed residential area was placed in a residence district since there is little possibility of so diverse an ownership being substantially absorbed by industry.

Comparison of Zoned Areas

Table 3 shows the adjustment of district areas as a result of the proposed zoning changes. Total residential and allied uses, expressed as a percentage of the total zoned area, increased by only three percent to 84.1 percent. A major revamping of residential zones, however, increased the single-family zoning to 52 percent of the total zoned area or an increase of 22 percent. Most of this increase results from a reduction of the R-2 district, which, under the proposal, represents only 7.3 percent of the total as compared to 32 percent under

existing zoning. Multiple residence zoning increased under the proposal from 19 to 24 percent of the total zoned area. The magnitude of the change in both the two-family and multiple residence district is sharpened as a result of changing the University campus from the former to the latter district. In each instance, the proposed districts allow for a considerable expansion over present use.

The table shows only a slight increase in commercial zoning - actually only 12 acres. However, there has been a reorientation of these zones where it is felt they bear a more reasonable relationship to service of the community. Industrial zoning has been reduced from 13.6 percent of the total to 10.5 percent, the major change being in setting out the residential areas in the vicinity of Washington and Fourth Street from the industrial zone to a residential zone.

ADMINISTRATION AND ENFORCEMENT

The realization of the objectives of zoning depends, to a great extent, upon the kind of administration and enforcement demonstrated by responsible officials. No matter how carefully the ordinance is prepared, if it is not enforced, if changes are made too frequently, or if extension, variation, and exceptions are permitted, the major benefits of zoning will not be achieved.

Most of the scattering of uses apparent in the land use survey were permitted under the present ordinance and even encouraged by the overzoning for certain uses. Also, there have been a considerable number of amendments to the zoning map which do not appear to be justified either by changing character of neighborhoods or through lack of similarly zoned areas to accommodate the type of use. Insofar as possible, requests for changes should be considered on the basis of districts rather than as isolated lots. Substantial evidence should be submitted to demonstrate the need for any change. Furthermore, such change must create advantages to the entire City rather than benefit to an individual property owner. The same principles that guide the drafting of the comprehensive zoning plan in the first instance should also guide any amendments or changes

The function of the Board of Appeal should be limited to acts concerned with peculiar and unusual situations. Under terms of the revised ordinance, the powers of the Board conform to modern zoning practice and administration. In its consideration of applications for variance or exceptions, the Board should first determine its authority to act and then review each case under its jurisdiction on its own particular merits.

Although the enforcement of the zoning ordinance is the responsibility of city officials, it is obvious that they cannot accomplish satisfactory results unless there is widespread public demand and support for zoning. Responsibility for zoning basically rests upon the citizens of the City of Champaign.

The purpose of zoning is to protect property values, particularly residential property. The proposed regulations and districts have been drafted to closely conform to existing conditions and to provide adequately for foreseeable future needs. All citizens alike should benefit from the enactment and strict enforcement of the ordinance as revised.

PROPOSED ZONING ORDINANCE

Champaign, Illinois

WHEREAS, to the end that adequate light, pure air and safety from fire and other dangers may be secured throughout the City of Champaign, Illinois, that the taxable value of land and buildings throughout the City may be conserved, that congestion in the public streets may be lessened or avoided, and that the public health, safety, comfort, morals and welfare may otherwise be promoted in accordance with a well considered and comprehensive plan for the use and development of all property throughout the City, the Council of the City of Champaign, Illinois deems it necessary that an ordinance be passed to classify, regulate and restrict the location of buildings designed for specified uses; to regulate and determine the area of yards and other open spaces within the surrounding such buildings, and for said purposes, to divide the City into districts and prescribe penalties for the violation of its provisions; to provide for its enforcement and also for a Board of Appeals;

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF CHAMPAIGN, ILLINOIS:

ARTICLE I.

Section 1. This ordinance shall be known and may be cited as the Zoning Ordinance of the City of Champaign Illinois of 1956.

ARTICLE II. DEFINITIONS

For the purpose of this ordinance certain terms and words are hereby defined: Words used in the present tense shall include the future; words used in the singular number shall include the plural number; words used in the plural number shall include the singular; the word "building" shall include the word "structure" and the word "shall" is mandatory and not directory.

Accessory Building: A building or portion of the main building located on the same lot which is incidental to that of the main building or to the main use of the premises. An accessory use is one that is incidental to the main use of the premises.

Alley: A public or private thoroughfare that affords only a secondary means of access to property abutting thereon.

Apartment: A room or suite of rooms in a multiple or two-family dwelling, or, where one or more living units are established above nonresidential uses, a room or suite of rooms intended or designed for use as a residence by a single family.

Apartment Hotel: A building designed for or containing both apartments and individual guest rooms or suites of rooms and apartments which, for compensation, are offered to the public for pre-arranged periods of time.

Basement: A story having part but not more than one-half its height below grade which, unless used for residence purposes, by other than janitor or domestic servants and family, shall not be included as a story for height purposes.

Boarding House: A building other than a hotel where, for compensation, meals or lodging and meals, are regularly provided by prearrangement for three (3) or more persons. This term shall include residence clubs.

Building: Any structure designed or intended for the support, enclosure, or shelter of persons, animals or chattels.

Building, Height of: The vertical distance measured from the sidewalk level or its equivalent established grade opposite the middle of the front of the building to the highest point of the roof for flat roofs; to the mean height level between eaves and ridge for gambrel, gable and hip roofs; to the deck-line for mansard roofs. Where a building is located upon a natural terrace or slope the height may be measured from the average ground level at the building wall.

Cellar: A story having more than one-half its height below grade. A cellar is not included in computing the number of stories for purposes of height.

Clinic: An establishment occupied by one or more members of the healing profession licensed by the Department of Registration and Education of the State of Illinois.

District: A section or sections of the City of Champaign for which the regulations governing the use of buildings and premises, the height of buildings, the size of yards and the intensity of use are uniform for each type of use permitted therein.

Dwelling: Any building, but not a trailer, which is designed and used exclusively for residential purposes.

Dwelling, Single-Family: A building designed for or occupied exclusively by one family.

Dwelling, Two-Family: A building designed for or occupied exclusively by two families.

Dwelling, Multiple: A building designed for or occupied exclusively by more than two families.

Family: A family consists of one or more persons related by blood, marriage or adoption, and in addition, any domestic servants or gratuitous guests thereof, or a group of no more than five persons who need not be related by blood, and in addition domestic servants or gratuitous guests thereof, who are living together in a single dwelling unit.

Frontage: All property on one side of a street between two intersecting streets crossing or terminating measured along the line of the street, or if the street is dead ended, then all property abutting on one side between an intersecting street and the dead end of the street.

Garage, Private: An accessory building housing motor-driven vehicles which are the property of and for the use of the occupants of the lot on which the garage is located.

Garage, Public: Any building or premises except those used as private garages, used for equipping, repairing, hiring, selling or storing motor-driven vehicles.

Group or Row Houses: A group of two (2) or more single-family dwellings separated by walls without openings, not more than two (2) rooms deep.

Home Occupation: Any occupation or profession for gain or support carried on by a member or members of the immediate family, residing on the premises; in connection with which there is used no sign other than a name plate not more than one square foot in area or no display that will indicate from the exterior that the building is being utilized in whole or in part for any purpose other than that of a residential building; and in which no person is employed other than a member of the immediate family residing on the premises; and provided that no article is sold or offered for sale except such as may be produced in the household by members of the immediate family, and no mechanical equipment is used except such as is incidental to purely domestic or household purposes. Home occupation shall include the use of his dwelling by a physician, surgeon, dentist, lawyer, clergyman or other professional person for consultation or emergency treatment, but not for the general practice of his profession.

Hotel: A building in which lodging, or lodging and board, are provided and offered to the public for compensation and which is customarily open to transient guests, and in which ingress and egress to and from all rooms is made through an inside lobby or office supervised by a person in charge at regular hours.

Institution: A building regularly occupied by a non-profit corporation or a non-profit establishment for public use.

Lot: A parcel of land occupied or suitable for occupancy by a use permitted by this ordinance including one (1) main building or use, with accessory buildings and the open spaces and parking spaces required by this ordinance, and having its principal frontage upon a street or upon officially approved place.

Motel: A building or group of related buildings in which lodging is provided and offered to the public for compensation and which is customarily open to transient guests.

Nonconforming: Any building or land lawfully occupied by a use at the time of the passage of the ordinance or amendments thereto, which does not conform after passage of this ordinance or amendments thereto with the use regulations of the district in which it is located.

Nursing Home: A home for the aged, chronically ill or incurable persons in which three (3) or more persons not of the immediate family are received, kept or provided with food and shelter or care for compensation; but not including hospitals, clinics or similar institutions devoted primarily to the diagnosis and treatment of the sick or injured.

Parking Space: An area having an all weather surface, enclosed in the main building or in an accessory building, or unenclosed, containing a minimum area of two hundred (200) square feet exclusive of driveways and connected with a street or alley by a surfaced driveway which affords adequate ingress and egress. Such area shall be permanently reserved for the temporary storage of one (1) automobile, and shall be considered a structure.

Rooming House: A building where lodging is provided by prearrangement for definite periods for three (3) or more persons and which is not open to transient guests. The term shall include residence clubs.

Service Station: Any building or premises used for the dispensing, sale or offering for sale at retail of automobile fuels or oil and accessories. When the dispensing, sale, or offering for sale is incidental to the conduct of a public garage, the premises are classified as a public garage.

Story: That portion of a building included between the surface of any floor and the surface of the floor next above it, or if there be no floor above it, then the space between such floor and the ceiling next above it.

Story, Half: Space within or under a sloping roof, the floor area of which does not exceed two-thirds of the floor area of the story immediately below it and which does not contain an independent apartment.

Structure: Anything created or constructed, the use of which requires permanent location on the ground or attached to some thing having a permanent location on the ground including but without limiting the generality of the foregoing, advertising signs, billboards, poster panels, and supports and frames thereof.

Structural Alteration: Any change in the supporting members of a building, such as but not limited to bearing walls, columns, beams or girders.

Tourist or Trailer Camp: An area containing one or more structures, designed or intended to be used as temporary living facilities of one or more families, or providing spaces where one or more tents or auto trailers can be or are intended to be parked, and intended primarily and used for automobile transients.

Tourist Home: A building originally designed for or occupied by a family in which is provided lodging for not more than fifteen (15) transient guests.

Trailer: Any structure used for living, sleeping, business or storage purposes, having no foundation other than wheels, blocks, skids, jacks, horses, or skirtings and which is, has been, or reasonably can be, equipped with wheels or other devices for transporting the structure from place to place.

Yard: An open space on the same lot with a building, unoccupied and unobstructed by any portion of a structure from the ground upward, except as otherwise provided herein. In measuring a yard for the purpose of determining the width of a side yard, the depth of a front yard, or the depth of a rear yard, the mean horizontal distance between the lot line and the main building shall be used.

Yard, Front: A yard extending across the front of a lot between the side yard lines, and being the minimum horizontal distance between the street line and the main building or any projection thereof other than the projection of the usual steps.

Yard, Rear: A yard extending across the rear of a lot, measured between the side lot lines, and being the minimum horizontal distance between the rear lot line and the rear of the main building or any projection other than steps. On corner lots the rear yard shall be considered as parallel to the street upon which the lot has its least dimension. On both corner lots and interior lots the rear yard shall in all cases be at the opposite end of the lot from the front yard.

Yard, Side: A yard between the main building and the side line of the lot, and extending from the front lot line to the rear yard line.

ARTICLE III. SCOPE OF REGULATIONS

Section 1. Compliance With Regulations: Except as provided by this Ordinance and except after a building permit shall have been issued by the Superintendent of Building Construction, which permit shall state that the proposed building or use of land complies with all the provisions of this Ordinance, it shall be unlawful within the corporate limits of the City of Champaign, Illinois:

- (a) To establish any use of a building or land, either by itself or in addition to another use;
- (b) To excavate for or build any foundation;
- (c) To expand, change or re-establish any non-conforming use;
- (d) To erect or establish a new building or part thereof, except signs of the class permitted in the "R-1" district;
- (e) To rebuild, structurally alter, add to, enlarge or relocate any building or part thereof;
- (f) To reduce the yard space or plot area required for a building, or to include any such yard space or plot area as that required for an adjoining building.
- (g) To erect more than one (1) main building on one (1) lot.

Section 2. Accessory Uses and Buildings: The uses permitted in the various zoning districts are principal uses, and a building or use that is accessory to a permitted use is allowable in connection with such a use provided:

- (a) It is located on the same lot designed for the principal use or building being established or existing;
- (b) It is compatible in character and extent with the principal use and district where located;
- (c) It conforms with such other regulations as apply;
- (d) It is not prohibited;
- (e) It shall not be erected prior to the establishment or construction of the principal use or building.

ARTICLE IV. DISTRICTS AND BOUNDARIES THEREOF

Section 1. Number of Districts: In order to classify, regulate and restrict the location of buildings erected or structurally altered for specific uses, to regulate the use of land, to regulate and limit the height and bulk of buildings hereafter erected or structurally altered, and to regulate and determine the area of yards and other open spaces about buildings the City of Champaign, Illinois is hereby divided into districts of which there shall be ten (10) known as:

- R-1A District - Single-Family Residence
- R-1B District - Single-Family Residence
- R-2 District - Two-Family Residence
- R-3 District - Multiple-Family Residence
- R-4 District - Multiple-Family Residence

B-1 District - Neighborhood Business

B-2 District - Commercial

B-3 District - Central Commercial

I-1 District - Light Industrial

I-2 District - Heavy Industrial

Section 2. Zoning Map: The boundaries of the districts established in Section 1 of this Article IV are hereby established as shown on a map designated as the "Zoning Map of Champaign, Illinois." This map shall be signed and dated by the City Clerk of Champaign, Illinois. Said Map and all notations, colors, dimensions, references, legends and symbols shown thereon pertaining to said districts shall be as much a part of this Ordinance as if fully described herein, and shall be filed as part of this Ordinance with the City Clerk of Champaign, Illinois. Such map, or reproduction thereof, certified as showing the districts created and approved, shall be available for public reference in the office of the City Clerk of Champaign, Illinois and in the office of the Superintendent of Building Construction of Champaign, Illinois. Alterations of said map made from time to time and adopted by amendment as hereafter provided, shall be similarly signed, dated, filed and made available for public reference.

Section 3. (a) The district boundaries are either streets or alleys unless otherwise shown, and where the districts designated on the map accompanying and made a part of the ordinance are bounded approximately by streets or alley lines, the street or alley shall be construed as the boundary of the district.

(b) Where the district boundaries are not otherwise indicated, and where the property has been or may hereafter be divided into blocks and lots, the district boundaries shall be construed to be the lot lines, and where the districts designated on the map accompanying and made a part of this Ordinance are bounded approximately by lot lines, the lot lines shall be construed to be the boundaries of the districts.

(c) In unsubdivided property, the district boundary lines on the map accompanying and made a part of this Ordinance shall be determined by use of the scale appearing on the map.

Section 4. Land Subsequently Annexed: All land which may hereafter become a part of the incorporated area of Champaign, Illinois as a result of annexation shall automatically be classified as the R-1A District - Single-Family Residence. Within three (3) months of the date of such annexation the City Plan Commission shall call a public hearing, with notice as required for amendments to this Ordinance, and within thirty (30) days after such hearing shall recommend to the City Council that this Ordinance be amended so as to classify such property in accordance with such recommendations.

ARTICLE V. R-1A DISTRICT - SINGLE FAMILY RESIDENCE

Section 1. Use Regulations: In the R-1A District no building or land shall be used and no building shall be hereafter erected, converted, enlarged or structurally altered, unless otherwise provided in this Ordinance, except for one or more of the following uses:

1. Single-Family Dwelling.
2. Church.
3. Public Elementary and High Schools.
4. Private Schools with a curriculum similar to public, elementary and high schools.
5. Public park, playground, library, community building.
6. Home Occupation.
7. Home garden when the produce thereof is not sold or placed on the market.

8. Accessory buildings and uses not involving the conduct of a business and including one private garage, but if such accessory building is not attached to the main building it shall be located not less than sixty (60) feet from the front line of the lot and not less than one and one-half (1 1/2) feet from the rear line and side lines of the lot.
9. One (1) sign on each lot not exceeding twelve (12) square feet in area, appertaining to the lease or sale of a building or premises.
10. Golf Courses, except miniature courses and driving tees operated for commercial purposes.
11. Farm, including the raising of livestock on adequately fenced tract containing not less than twelve (12) acres and having an average width of not less than three hundred fifty (350) feet and including the raising of poultry and small animals when the tract is adequately fenced and contains not less than three (3) acres, but in no event shall livestock, small animals, or poultry be housed or confined within two hundred (200) feet of one (1) acre or less containing a single-family residence.
12. Temporary building incidental only to construction of permitted uses.

Section 2. Parking Regulations: Whenever a building is erected, converted, enlarged or structurally altered for a use permitted in the R-1A District there shall be provided an available and accessible off-street parking area as shall be required by the applicable provisions of Article XV hereof.

Section 3. Height Regulations: No building shall exceed two and one-half (2 1/2) stories nor shall it exceed thirty-five (35) feet in height, except as provided in Article XVI hereof.

Section 4. Area Regulations:

1. Intensity of Use: Every dwelling hereafter erected, enlarged, relocated or reconstructed shall be located upon a lot or tract of land that shall have an area of not less than ten thousand (10,000) square feet and an average width of not less than eighty (80) feet, except that if a platted lot or tract of public record or any lot conveyed and shown of public record has less area or width than herein required, and its boundary lines along their entire length touched lands under other ownership on the effective date of this Ordinance, such lot or tract may be used for a single-family dwelling.

2. Front Yard:

(a) There shall be a front yard of not less than twenty-five (25) feet, except as provided in Article XVI.

(b) Lots fronting on two (2) non-intersecting streets shall have the required front yard on both streets.

(c) On corner lots a front yard shall be provided on both streets provided that this regulation shall be so interpreted as not to reduce the buildable width of a corner lot of public record at the time of the passage of this Ordinance to less than twenty-eight (28) feet.

3. Side Yards: There shall be a side yard on each side of a building having a width of not less than ten (10) percent of the width of the lot, or eight (8) feet whichever is smaller.

4. Rear Yard: There shall be a rear yard having a depth of not less than twenty-five (25) feet or twenty (20) percent of the depth of the lot, whichever is smaller.

ARTICLE VI. R-1B DISTRICT - SINGLE FAMILY RESIDENCE

Section 1. Use Regulations: In the R-1B District no building or land shall be used and no building shall be hereafter erected, converted, enlarged or structurally altered, unless otherwise provided in this Ordinance, except for one or more of the following uses:

1. Any use permitted in R-1A District.
2. Two-family dwelling which complies with the lot area per family, yard and parking requirements of the R-2 District where forty (40) percent or more of the frontage on the same side of the street is occupied by either two-family or multiple dwellings.

Section 2. Parking Regulations: Whenever a building is erected, converted, enlarged or structurally altered for a use permitted in the R-1B District there shall be provided an available and accessible off-street parking area as shall be required by the applicable provisions of Article XV hereof.

Section 3. Height Regulations: No building shall exceed two and one-half (2 1/2) stories nor shall it exceed thirty-five (35) feet in height, except as provided in Article XVI hereof.

Section 4. Area Regulations:

1. Intensity of Use: Every dwelling hereafter erected, enlarged, relocated or reconstructed shall be located upon a lot or tract of land that shall have an area of not less than seventy two hundred (7200) square feet and an average width of not less than sixty-five (65) feet, except that if a platted lot or tract of public record or any lot conveyed and shown of public record has less area or width than herein required, and its boundary along its entire length touched lands under other ownership on the effective date of this Ordinance, such lot or tract may be used for single-family dwelling.

2. Front Yard: The front yard regulations are the same as those in the R-1A District.

3. Side Yards: There shall be a side yard on each side of a building having a width of not less than ten (10) percent of the width of the lot, or six and one-half (6 1/2) feet whichever is smaller.

4. Rear Yard: The rear yard regulations are the same as those in the R-1A District.

ARTICLE VII. R-2 DISTRICT - TWO FAMILY DWELLING

Section 1. Use Regulations: In the R-2 District no building or land shall be used and no building shall be hereafter erected, converted, enlarged or structurally altered, except for one or more of the following uses:

1. Any use permitted in the R-1A District.
2. Two-Family dwelling.
3. Private clubs and lodges, except skeet and gun clubs and those the chief activity of which is the service customarily carried on as a business.
4. Institutions of an educational, philanthropic or eleemosynary nature.
5. Accessory buildings and uses when located on the same lot and not involving the conduct of a business, including private garages, but if such accessory building is not attached to the main building it shall be located not less than sixty (60) feet from the front line and not less than one and one-half (1 1/2) feet from the rear line and side line of the lot.

Section 2. Parking Regulations: Whenever a building is erected, converted, enlarged or structurally altered for a use permitted in the R-2 District, there shall be provided an available and accessible off-street parking area as required by the applicable provisions of Article XV hereof.

Section 3. Height Regulations: No building hereafter erected or altered shall exceed two and one-half (2 1/2) stories nor shall it exceed thirty-five (35) feet in height except as provided in Article XVI hereof.

Section 4. Area Regulations:

1. Intensity of Use: Every dwelling hereafter erected, enlarged, relocated or reconstructed shall be located upon a lot having the following area, except that if any platted lot or tract of public record or any lot conveyed and shown of public record has less area or width than herein required and its boundary along its entire length touched lands under other ownership on the effective date of this Ordinance, such lots or tracts may be used for a single-family residence.

- (a) A lot on which there is erected a single-family dwelling shall contain an area of not less than six thousand (6000) square feet, and an average width of not less than sixty (60) feet.
- (b) A lot on which there is erected a two-family dwelling shall contain an area of not less than three thousand (3000) square feet per family and an average width of not less than sixty (60) feet.

2. Front Yard:

(a) There shall be a front yard of not less than twenty-five (25) feet, except as provided in Article XVI.

(b) Lots fronting on two (2) nonintersecting streets shall have the required front yard on both streets.

(c) On corner lots a front yard shall be provided on both streets provided that this regulation shall be so interpreted as not to reduce the buildable width of a corner lot of public record at the time of the passage of this Ordinance to less than twenty-eight (28) feet.

3. Side Yards: There shall be a side yard on each side of a building having a width of not less than ten (10) percent of the width of the lot, or six (6) feet whichever is smaller.

4. Rear Yard: There shall be a rear yard having a depth of not less than twenty-five (25) feet or twenty (20) percent of the depth of the lot, whichever is smaller.

ARTICLE VIII. R-3 DISTRICT - MULTIPLE FAMILY RESIDENTIAL

Section 1. Use Regulations: In the R-3 District no building or land shall be used and no building shall be hereafter erected, enlarged, converted or structurally altered, except for one or more of the following uses:

1. Any use permitted in the R-2 District.
2. Boarding and rooming house.
3. Multiple family dwelling.
4. Hospital and nurses home.
5. Group or row house.
6. Fraternity, sorority and dormitory.
7. Accessory buildings and uses when located on the same lot and not involving the conduct of a business, including private garages, but if such building is not attached to the main building it shall be located not less than sixty (60) feet from the front line and not less than one and one-half (1 1/2) feet from the rear line and side lines of the lot.

Section 2. Parking Regulations: Whenever a building is erected, converted, enlarged or structurally altered for a use permitted in the R-3 District, there shall be provided an available and accessible off-street parking area as shall be required by the applicable provisions of Article XV hereof.

Section 3. Height Regulations: No building shall exceed three (3) stories nor shall it exceed forty-five (45) feet in height, except as provided in Article XVI hereof.

Section 4. Area Regulations:

1. Front Yard, Side Yard and Rear Yard: The front yard, side yard and rear yard regulations are the same as those in the R-2 District.

2. Intensity of Use: Every dwelling hereafter erected, enlarged, relocated, or reconstructed shall be located upon a lot having the following area except that if a platted lot or tract of public record or any lot conveyed and shown of public record has less area or width than herein required, and its boundary along its entire length touched lands under other ownerships on the effective date of this Ordinance, such lot or tract may be used for a single-family dwelling.

- (a) A lot upon which there is located a single-family dwelling or a two-family dwelling shall contain an area and have a width as required for such dwellings in Section 4 of Article VII hereof.
- (b) A lot on which there is erected a multiple-family dwelling shall contain an area of not less than one thousand (1000) square feet per family, but in no event a total area of less than six thousand (6000) square feet, and an average width of not less than sixty (60) feet except that this lot area per family shall not apply to dormitories, fraternities or sororities where no cooking is done in individual rooms or apartments.

ARTICLE IX. R-4 DISTRICT - MULTIPLE FAMILY RESIDENCE
(6 STORY)

Section 1. Use Regulations: In the R-4 District no building or land shall be used and no building shall be hereafter erected, converted, enlarged or structurally altered, except for one or more of the following uses:

1. Any use permitted in the R-3 District.
2. Apartment hotel.
3. Office, but not including the sale of goods.
4. Accessory buildings and uses customarily incident to any of the above uses and not involving the conduct of a business not incidental to the principal use, including garages exclusively for storage, either part of or attached to the main building or, if not attached, when located not less than sixty (60) feet from the front line nor less than one and one-half (1 1/2) feet from the rear or side line of the lot.

Section 2. Parking Regulations: Whenever a building is erected, converted, enlarged or structurally altered for a use permitted in the R-4 District, there shall be provided an available and accessible off-street parking area as shall be required by the applicable provisions of Article XV hereof.

Section 3. Height Regulations: No building hereafter erected, enlarged, converted or structurally altered shall exceed seventy-five (75) feet nor shall it exceed six (6) stories in height, except as provided in Article XVI hereof.

Section 4. Area Regulations:

1. Intensity of Use: The intensity of use regulations are the same as those in the R-3 District.
2. Front Yard: There shall be a front yard of not less than fifteen (15) feet.

3. Side Yard and Rear Yard: The side yard and rear yard regulations are the same as those in the R-2 District except that any portion of a building exceeding three (3) stories or forty-five (45) feet shall be set back one (1) additional foot from required side and rear yard lines for each additional two (2) feet in height.

ARTICLE X. B-1 DISTRICT - NEIGHBORHOOD BUSINESS

Section 1. Use Regulations: In the B-1 District no building or land shall be used and no building shall be hereafter erected, converted, enlarged or structurally altered, except for one or more of the following uses:

1. Single and two-family dwellings.
2. Apartments, provided they are located on the second floor and above a business use permitted in this District.
3. Bakery whose products are sold only at retail on the premises.
4. Dancing or music academy.
5. Service station.
6. Personal service shop, such as shoe repair shops, beauty parlor and barber shop but expressly excluding those uses listed in the B-2, I-1 and I-2 Districts.
7. Office.
8. Restaurant, serving only within a building.
9. Shop or store for conduct of retail business only including supermarkets, but expressly excluding those uses listed in the B-2, I-1 and I-2 Districts.
10. Stations for pick up and delivery of laundry and dry cleaning.
11. Undertaking establishments.

12. Accessory buildings and uses customarily incident to the above uses, including a sign or bulletin board, not exceeding two (2) square feet in area for each one (1) lineal foot of street frontage, relating only to the service, articles and products offered within the building to which the sign is attached, provided that the sign shall not project more than eighteen (18) inches from the face of the building.

13. Parking lots.

Section 2. Parking Regulations: Whenever a building is erected, converted or structurally altered for a use permitted in the B-1 District there shall be provided an available and accessible off-street parking area as shall be required by the applicable provisions of Article XV hereof.

Section 3. Height Regulations: No building shall exceed two and one-half (2 1/2) stories nor shall it exceed thirty-five (35) feet in height except as otherwise provided in Article XVI hereof.

Section 4. Area Regulations:

1. Front Yard:

(a) Where a lot is used for a single-family or two-family residence the front yard regulations are the same as those in the R-2 District.

(b) For other uses there shall be a front yard having a depth of not less than fifteen (15) feet except no front yard shall be required where all the frontage on one side of the street between two intersecting streets is zoned for business.

2. Side Yard:

(a) Where a lot or part thereof is used for any of the commercial purposes permitted in this District and is located at the intersection of two or more streets, the side yard on the side of a lot adjacent to the street shall not be less than ten (10) feet in width, except that the

buildable width of the lot shall not be reduced to less than thirty (30) feet. In all other cases a side yard is not required except on the side of a lot adjoining an R-1, R-2, R-3, or R-4 District, in which case there shall be a side yard of not less than five (5) feet.

(b) Where a lot is used for a single-family or two-family residence the side yard regulations are the same as those in the R-2 District.

3. Rear Yard: There shall be a rear yard having a depth of not less than twenty-five (25) feet or twenty (20) percent of the depth of the lot, whichever amount is smaller.

4. Intensity of Use:

(a) For single and two family dwellings the intensity of use regulations are the same as those in the R-2 District.

(b) When living facilities are erected above stores there shall be a lot area per family of not less than three thousand (3000) square feet.

ARTICLE XI. B-2 DISTRICT - COMMERCIAL

Section 1. Use Regulations: In the B-2 District no building or land shall be used and no building shall be hereafter erected, enlarged, converted or structurally altered, except for one or more of the following uses:

1. Any use permitted in the B-1 District.
2. Multiple-family dwelling
3. Apartment hotel.
4. Community building, museum and library.
5. Laundry and dry cleaning establishment having a boiler with a steam generating capacity not to exceed thirty-eight hundred (3800) pounds per hour.

6. Hospital, nursing home and clinic.
7. Bakery employing not more than six (6) persons.
8. Plumbing shop employing not more than six (6) persons.
9. Printing shop employing not more than six (6) persons.
10. Public garage; automobile sales building.
11. Private club or lodge.
12. Institution of an educational, philanthropic or eleemosynary nature.
13. Tinsmith.
14. Food locker.
15. Drive-in restaurant.
16. Theater, except open air drive-in theater.
17. Tavern.
18. Amusement and recreation building.
19. Church.
20. Boarding and rooming house.
21. Park and playground.
22. Motel and tourist home.
23. Municipal, state or federal building.
24. Advertising sign and bulletin board.

Section 2. Parking Regulations: Whenever a building is erected, converted, or structurally altered for a use permitted in the B-2 District there shall be provided an available and accessible off-street parking area as shall be required by the applicable provisions of Article XV hereof.

Section 3. Height Regulations: No building shall exceed three (3) stories nor shall it exceed forty-five (45) feet in height except as provided in Article XVI hereof.

Section 4. Area Regulations:

1. Intensity of Use: Every dwelling hereafter erected, enlarged, relocated, or reconstructed shall be located on a lot having the following area:

- (a) A lot upon which is erected a single-family dwelling shall contain an area of not less than five thousand (5000) square feet, and an average width of not less than sixty (60) feet.
- (b) A lot on which there is erected a two-family dwelling shall contain an area of not less than twenty-five hundred (2500) square feet per family and an average width of not less than sixty (60) feet.
- (c) A lot upon which is erected a multiple-family dwelling shall contain an area of not less than one thousand (1000) square feet per family, but in no event a total area of less than five thousand (5000) square feet and an average width of not less than sixty (60) feet.

2. Front Yard:

(a) The front yard regulations for dwellings are the same as those in the R-2 District.

(b) A front yard is not required for the commercial uses permitted in this district.

3. Side Yard:

(a) The side yard regulations for dwellings are the same as those in the R-2 District.

(b) The side yard regulations for the commercial uses permitted in this district are the same as those in the B-1 District.

4. Rear Yard:

(a) The rear yard regulations for dwellings are the same as those in the R-2 District.

(b) The rear yard regulations for the commercial uses permitted in this district are the same as those in the B-1 District.

ARTICLE XII. B-3 DISTRICT - CENTRAL COMMERCIAL

Section 1. Use Regulations: In the B-3 District no building or land shall be used and no building shall be hereafter erected, enlarged, converted or structurally altered, except for one or more of the following uses:

1. Any use permitted in the B-2 District.
2. Hotels.
3. Bakery.
4. Plumbing Shop.
5. Printing Shop.
6. Bus, railroad and taxi terminal station.
7. Store for the conduct of wholesale business excluding a building the principal purpose of which is for a storage warehouse.
8. Telegraph service station.
9. Telephone exchange.

Section 2. Parking Regulations: The parking regulations for dwellings shall be as required for such uses in Article XV hereof. No parking space shall be required in the B-3 District in other instances.

Section 3. Height Regulations: No building shall exceed six (6) stories in height nor shall it exceed seventy-five (75) feet, except as otherwise provided in Article XVI hereof.

Section 4. Area Regulations:

1. Front Yard: The front yard requirements for dwellings are the same as in the R-4 District. In all other cases no front yard is required.

2. Side Yard: The side yard regulations for dwellings are the same as those in the R-4 District. In all other cases no side yard is required.

3. Rear Yard: The rear yard regulations for dwellings are the same as in the R-4 District. In all other cases a rear yard is not required.

4. Intensity of Use: When a lot is improved with a multiple-family dwelling, the area and width of the lot shall be the same as those required for such building in the R-4 District.

ARTICLE XIII. I-1 DISTRICT - LIGHT INDUSTRIAL

Section 1. Use Regulations: In the I-1 District no building or land shall be used and no building shall be hereafter erected, enlarged, converted or structurally altered except for one or more of the following uses:

1. Any use permitted in the B-3 District except single-family dwellings, two-family dwellings and multiple dwellings, hospitals and nursing homes.
2. Blacksmith shop.
3. Bottling plant.

4. Dyeing and cleaning establishment and laundry.
5. Building equipment and yards for contracting equipment, maintenance or operating equipment of public agencies or public utilities, or materials or equipment of a similar nature, provided that where such storage or yards are in the open, if any part of the land so used lies within three hundred (300) feet of any residence district, or any park, or state or federal highway, the entire open area used shall be surrounded by a substantially built tight board or sheet metal fence, or masonry or other wall, or dense evergreen hedge not less than eight (8) feet high.
6. Creamery and milk distributing station.
7. Canning, packing, preserving or bottling of food products.
8. Grain elevator.
9. Open air lot for display and sale of automobiles or farm equipment expressly excluding auto wrecking and junk yard.
10. Warehouse and storage plant.
11. Truck or bus storage yard.
12. Ice plants or storage.
13. Light industrial and manufacturing plant, expressly excluding those uses listed in the I-2 District, where the scale of operations and process of manufacturing or treatment of materials is such that the amount of dust, gas, smoke, odor or noise resulting therefrom will not be detrimental to property or to the health of persons residing in surrounding residential district.
14. Animal hospital.
15. Resident watchman or guard for a permitted use.

Section 2. Parking Regulations: Whenever a building is erected, converted or structurally altered for a use permitted in the I-1 District there shall be provided an available and accessible off-street parking area as shall be required by the applicable provisions of Article XV.

Section 3. Height Regulations: All uses listed as permitted uses in the B-1 or B-2 District shall not exceed six (6) stories or seventy-five (75) feet in height except as otherwise provided in Article XVI hereof.

Section 4. Area Regulations:

1. Front Yard, Side Yard, Rear Yard: The front, side, and rear yard regulations are the same as those in the B-2 District.

ARTICLE XIV. I-2 DISTRICT - HEAVY INDUSTRIAL

Section 1. Use Regulations: In the I-2 District no land shall be used and no building shall be hereafter erected or structurally altered, except for one or more of the following uses:

1. Any use permitted in the I-1 District, except boarding and lodging houses and tourist homes.
2. Automobile wrecking yards and junk yards if enclosed with a tight fence not less than eight (8) feet high.
3. Brick, tile, glass and clay products manufacture.
4. Stone quarries and stone crushing, grading, washing and loading equipment.
5. Railroad shops and roundhouses.
6. Open air theaters.
7. Solid fuel storage yards.

8. Bulk storage of gasoline, fuel oil or other inflammable or explosive liquid for retail or wholesale distribution.
9. Any heavy industrial and manufacturing use not in conflict with any ordinance of the City of Champaign regulating nuisances; provided, however, that no building or occupancy permit be issued for any of the following uses until the location of such use shall have been authorized by the City Council after a public hearing conducted by the Plan Commission in accordance with the provisions of this Ordinance for amendments hereto.
 - (a) Acid manufacture.
 - (b) Cement, lime, gypsum or plaster of paris manufacture.
 - (c) Distillation of bones.
 - (d) Explosives, manufacture or storage.
 - (e) Fat rendering
 - (f) Fertilizer manufacture.
 - (g) Garbage, offal or dead animal reduction or dumping.
 - (h) Glue manufacture.
 - (i) Petroleum refining.
 - (j) Smelting of tin, copper, zinc or iron ores.
 - (k) Stock yards or slaughter of animals.

Section 2. Parking Regulations: Whenever a building is erected, converted or structurally altered for a use permitted in the I-2 District there shall be provided an available and accessible off-street parking area as shall be required by the applicable provisions of Article XV hereof.

Section 3. Height Regulations: All uses listed as permitted uses in the B-1 or B-2 Districts shall not exceed six (6) stories nor shall they exceed seventy-five (75) feet in height.

Section 4. Area Regulations: No front, side or rear yard shall be required except as may be necessary to provide the required off-street parking space.

ARTICLE XV. COMPREHENSIVE PARKING REGULATIONS

Section 1. Whenever a building is hereafter erected, converted, enlarged or structurally altered for one of the uses referred to in this article, the regulations of this article shall become a part of the regulation of each district within which such use is permitted unless specifically exempted by Section 2 of such district. Whenever parking space is required by the provisions of this article, it shall be considered an accessory use and be permitted in the district.

Section 2. Off-street parking space shall be provided as follows:

(a) Single and two-family dwelling: One space, on the lot, for each dwelling unit.

(b) Multiple-family dwelling: One space, on the lot for each dwelling unit, provided however, that in the R-4 and B-3 Districts, there shall be one parking space for each two (2) dwelling units.

(c) Apartment Hotel: One space, on the lot or within three hundred (300) feet thereof, for each two (2) dwelling units and guest room.

(d) Motel and Tourist Home: One space, on the lot, for each guest room.

(e) Rooming house, Fraternity, Sorority and Residence Club: One space, on the lot or within three hundred (300) feet thereof, for each three beds.

(f) Church: One space, on the lot or within three hundred (300) feet thereof, for each ten seats in the main auditorium.

(g) School and other public building: One space, on the lot or within three hundred (300) feet thereof, for each ten persons which can be accommodated in the principal assembly hall.

(h) Private club or lodge: One parking space on the lot, for every ten members.

(i) Drive-in restaurant: One parking space, on the lot, for each one hundred (100) square feet of enclosed floor area.

(j) Theater or place of amusement: One parking space, on the lot or within three hundred (300) feet thereof, for each five (5) seats.

(k) Commercial, Service, and Office Use: One space, on the lot or within three hundred (300) feet thereof, for each one hundred fifty (150) square feet of enclosed floor area except in the B-2 District where the ratio will be one space to each two hundred (200) square feet of enclosed floor area. Two (2) or more such establishments may jointly provide the respective necessary parking provided said space is within three hundred (300) feet of each establishment.

(l) Warehouse and Industrial use: In addition to space required for commercial and office uses, one parking space on the lot or within three hundred (300) feet thereof, shall be provided for each three (3) employees on any one shift or one space for each six hundred (600) square feet of enclosed floor area devoted to industrial or warehousing purposes, whichever is the greater.

(m) Drive-in Theater: Storage capacity between the access street and the theater enclosure shall be provided at the ratio of one parking space for each two (2) automobile spaces within the enclosure.

(n) Hospital: One parking space on the lot or within three hundred (300) feet for each three (3) beds.

ARTICLE XVI. HEIGHT AND AREA EXCEPTIONS

The district regulations hereinafter set forth in this Article qualify or supplement, as the case may be, the district regulations appearing elsewhere in this Ordinance.

Section 1. Public buildings, hospitals, sanitariums, schools or institutions of an educational, philanthropic, religious or eleemosynary nature, in the R-1, R-2, and R-3 Districts may be erected to a height not exceeding seventy-five (75) feet if the building is set back from each yard line at least one (1) foot for each foot of additional building height above the height limit otherwise provided in the district in which the building is located.

Section 2. Chimneys, towers, elevators bulkheads, monuments, stacks, tanks, spires, church steeples, antennae, and necessary mechanical devices appurtenant to the principal use, may be erected to a height in accordance with existing or hereafter adopted ordinance of the City of Champaign, Illinois.

Section 3. Whenever the rear of a lot abuts upon a public alley, one-half (1/2) of the width of the public alley may be considered as a portion of the required rear yard.

Section 4. Every part of a required yard shall be open to the sky, unobstructed, except for accessory buildings in a rear yard, and except for drives, walks and the ordinary projections of sills, cornices, chimneys, flues and ornamental features projecting not to exceed eighteen (18) inches and except for open or latticed-enclosed fire escapes, fireproof outside stairways and balconies opening upon fire towers which may project not more than five (5) feet. Parking spaces may be provided within a rear yard, or may be permitted within a required side yard by the Board of Appeals.

Section 5. For the purpose of side yard regulations a two-family dwelling, a group house, or a multiple dwelling shall be deemed one (1) building occupying one (1) lot.

Section 6. The side, front and rear yard requirements shall not apply to steps, open terraces, underground structures and fences, provided any fences or other landscape improvements located on a corner lot within the vision triangle provided by the applicable front yard and side yard requirements of the district in which the lot is located shall preserve a clear view between points five (5) feet above the crown of each intersecting street or highway.

Section 7. Gasoline pumps and air and water services of retail gas service stations in the districts in which they are permitted shall be exempted from front and side yard requirements provided the centers thereof shall be at least twenty (20) feet from the street or highway right-of-way line.

Section 8. When on the effective date of this Ordinance, forty (40) percent or more of the frontage on a block between two intersecting streets was occupied by two or more buildings, then the depth of the front yard heretofore established shall be adjusted in the following manner.

(a) When the building farthest from the street provides a front yard no more than ten (10) feet deeper than the building closest to the street, then the average depth of front yard for such frontage shall be the minimum depth of front yard for the new building in such block.

(b) When the above is not the case and the lot is within one hundred (100) feet of an existing building on each side, then the depth of the front yard is determined by a line drawn from the front corners of these two adjacent buildings.

(c) When neither (a) or (b) above is the case and the lot is within one hundred (100) feet of an existing building on one side only, then the depth of front yard is the same as that of the existing adjacent building.

Section 9. Accessory buildings may be located in a rear yard but may not occupy more than 30 percent of a rear yard nor may it exceed twenty (20) feet in height in an R district.

ARTICLE XVII. NONCONFORMING USES

Section 1. Any building or use of a building or land lawfully existing at the time of the passage of this Ordinance which does not conform to the use regulations of this Ordinance, shall be known as a nonconforming use and may remain and the use thereof be continued, as hereinafter provided. If no structural alterations are made, a nonconforming use of a building may be changed to another nonconforming use of the same or of a more restricted classification. Whenever a nonconforming use has been changed to a more restricted use or to a conformity use, such use shall not thereafter be changed to a less restricted use.

Section 2. No existing building which does not conform to the use regulations of the district in which such building is located shall be enlarged, extended, reconstructed or structurally altered, unless such use is changed to a use permitted in the district in which such building or structure is located. A nonconforming use occupying a part of a building shall not be extended beyond that part of the building originally designed for such use and in no case shall any addition be made which will provide for the expansion of the nonconforming use. A nonconforming use of land shall not be extended.

Section 3. No building devoted to a nonconforming use which has been damaged by fire or otherwise to the extent of more than sixty (60) percent of its full assessed value shall be repaired or rebuilt, nor shall another building be erected on the premises, nor use be made thereof, except in conformity with the provisions of this Ordinance. When a building, the use of which does not conform to the provisions of this Ordinance, is damaged by fire, explosion, act of God or the public enemy, to an extent less than sixty (60) percent of its full assessed value at the time such damage is incurred, it may only be restored upon the issuance of a permit by the Board of Appeals upon appeal as provided in Article XVIII.

Section 4. A nonconforming use which is discontinued or its normal operation stopped for a period of twelve (12) months shall not thereafter be re-established.

Section 5. Only ordinary repairs and maintenance, including replacement of roof covering, shall be permitted on any building devoted to a nonconforming use. In no case shall such repairs include structural alterations.

Section 6. Subject to such requirements as are deemed necessary to safeguard adjacent property and to maintain the character of the neighborhoods in which they are located, the City Council of the City of Champaign may, after public notice and hearing, authorize in any district a structure or premises to be used by a public service corporation or public utility or for municipal, state or federal purposes which it deems reasonably necessary for the public convenience and welfare. Any right of way or passenger station grounds now used for railroad purposes or any right of way now used for public utility, municipal, state or federal purposes in any district shall be considered a conforming use.

ARTICLE XVIII. BOARD OF APPEALS

Section 1. Creation and Membership: A Board of Appeals is hereby authorized to be established. The word "Board" when used in this Article shall be construed to mean the Board of Appeals. The Board shall consist of seven (7) members appointed by the Mayor of the City of Champaign and confirmed by the Council of the City of Champaign. The members of said Board shall serve respectively for the following terms (or until their respective successors are appointed and qualified): one for one year; one for two years; one for three years; one for four years; one for five years; one for six years; and one for seven years. The successor to each member so appointed shall serve for a term of five years. One of the members of the Board shall be designated as Chairman of the Board by the Mayor of the City of Champaign, with the consent of the Council of the City of Champaign and shall hold his office as Chairman until his successor is appointed. Such chairman, or in his absence the Acting Chairman, may administer oaths and compel the attendance of witnesses. The Mayor of the City of Champaign shall have the power to remove any member of the Board for cause and after a public hearing. Vacancies upon the Board shall be filled for the unexpired term of the member whose place has become vacant, in the manner provided for the appointment of such member.

Section 2. Meetings: All meetings of the Board shall be held at the call of the Chairman and at such other times as the Board may determine. There shall be at least fifteen (15) days but not more than thirty (30) days notice of the time and place of such meeting published in a paper of general circulation in the City of Champaign, said notice to contain a statement of the particular purpose of such meeting and a brief description of the location of the property under consideration at such meeting. All meetings of the Board shall be open to the public. The Board shall keep minutes of its proceedings, showing the vote of each member upon every question, of if absent or failing to vote, indicating such fact, and shall also keep records of its examinations and other official actions. Findings of fact shall be included in the minutes of each case of a requested variation, and the reasons for granting or denying such variation shall be specified. Every rule, regulation, every amendment or repeal thereof, and every order, requirement, decision or determination of the Board shall immediately be filed in the office of the Board and shall be a public record. The Board shall adopt its own rules of procedure and not in conflict with the statute in such case made and provided, and may select or appoint such officers as it deems necessary.

Section 3. Jurisdiction:

1. Interpretation:

(a) The Board shall hear and decide appeals from and review any order, requirement, decision or determination made by the administrative official charged with the enforcement of this ordinance. The Board may reverse or affirm, wholly or partly, or may modify or amend the order, requirement, decision or determination appealed from the extent and in the manner that the Board may decide to be fitting and proper in the premises.

The Board shall also hear and decide all matters referred to it or upon which it is required to pass under this Ordinance.

(b) The Board may permit the extension of a district where the boundary line of a district divides a lot held in a single ownership at the time of the passage of the ordinance.

(c) The Board shall interpret the provisions of this Ordinance in such a way as to carry out the interest and purpose of the plan as shown upon the map fixing the several districts accompanying and made a part of this Ordinance where the street layout on the ground varies from its street layout as shown on the aforesaid map.

(d) The Board may add more uses to the list of these permitted in the B-3 and I-1 Districts; provided that such uses are comparable in general character and not offensive or obnoxious due to emission of odor, dust, noise, gas, smoke or vibration.

2. Exceptions: The Board may:

(a) Permit the reconstruction of a nonconforming building that would otherwise be prohibited by Article XVII, Section 3.

(b) Permit use of all or part of a side yard for parking purposes when necessary safeguards to protect adjacent properties are provided.

(c) Permit required parking for any permitted use on a lot within three hundred feet of such use irrespective of the district in which said lot may be located, provided Article XV does not specifically require said parking to be on the same lot with the use, and further provided:

(1) The parking area and connecting drive-ways shall be surfaced with concrete, asphaltic concrete, asphalt or any other type of permanent dust free paving and the parking area and connecting driveways shall be maintained in good condition and free of all weeds, dust, trash and other debris.

(2) The plan for such parking areas shall be submitted to the City Engineer and a report received therefrom upon the necessary improvements needed to protect adjacent property owners and the public interest among which may be proper setbacks, screening, walks, grass, shrubs and trees.

(3) The permit for such use is revocable by the Board at any time there is non-compliance with the requirements specifically set out by said permit.

3. Variations: The Board may:

(a) Vary yard regulations where there is an exceptional or unusual physical condition on the lot, which condition is not generally prevalent in the neighborhood and which condition where related to the yard regulations of this Ordinance would prevent a reasonable or sensible arrangement of buildings on the lot.

(b) Vary the parking regulations where an applicant demonstrates conclusively that the specific use of a building would make unnecessary the parking spaces required by this Ordinance but providing that such a reduction not be more than 25 percent of the usual requirement.

In considering all proposed variations or exceptions to this Ordinance the Board shall, before making any variation or exception from the ordinance in a specific case, first determine and make a finding of fact, that the proposed variation or exception will not (a) impair an adequate supply of light and air to adjacent property, (b) increase the congestion in public streets, (c) increase the danger of fire or endanger the public safety; and (d) unreasonably diminish or impair established property values within the surrounding area.

The concurring vote of four (4) members of the Board shall be necessary to reverse any order, requirement, decision or determination of the administrative official charged with the enforcement of this Ordinance, or to decide in favor of the applicant any matter upon which the Board is authorized by this Ordinance to render a decision.

Section 4. Appeal and Review: An appeal may be taken from the officer charged with the enforcement of this Ordinance by any person aggrieved or by an officer, department, or Bureau of the City of Champaign. Such appeal shall be taken within such time as shall be prescribed by the Board by general rule, by filing with the officer from whom the appeal is taken and with the Board, a notice of appeal specifying the grounds thereof. The officer from whom the appeal is taken shall forthwith transmit to the Board all of the papers constituting the record upon which the action appealed from was taken.

An appeal stays all proceedings in furtherance of the action appealed from, unless the officer from whom the appeal is taken certifies to the Board after the notice of appeal has been filed with him that by reason of facts stated in the certificate, a stay would, in his opinion, cause imminent peril to life or property, in which case the proceedings shall not be stayed otherwise than by a restraining order which may be granted by the Board or by a court of record on application, on notice to the officer from whom the appeal is taken and on due cause shown.

The Board shall fix a reasonable time for the hearing of the appeal and give due notice thereof to the parties and decide the same within a reasonable time. Upon the hearing, any party may appear in person, or by agent or by attorney.

All final administrative decisions of the Board of Appeals shall be subject to judicial review pursuant to the provisions of the "Administrative Review Act," approved May 8, 1945, and all amendments and modifications thereof, and the rules adopted pursuant thereto.

ARTICLE XIX. OCCUPANCY PERMITS

Section 1. Subsequent to the effective date of this Ordinance no change in the use of land, nor any change of use in an existing building shall be made nor shall any new building be occupied for any purpose until a certificate of occupancy has been issued by the administrative official charged with the enforcement of this Ordinance stating that the building and use comply with the provisions of this Ordinance.

Section 2. Certificates of occupancy shall be applied for coincidentally with the application for a building permit, and shall be issued within seven (7) days after the lawful erection or alteration of such building or buildings shall have been completed. No permit for excavation for, or the erection or alteration of any building shall be issued before application has been made for a certificate of occupancy. No building or premises shall be occupied until such certificate has been issued.

Section 3. A certificate of occupancy shall be required of all nonconforming uses of land or buildings. Application for such certificate of occupancy for nonconforming uses shall be filed with the administrative official charged with the enforcement of this Ordinance by the owner or lessee of the land or building occupied by such nonconforming use within one (1) year from the effective date of this ordinance. It shall be the duty of the administrative official charged with the enforcement of this Ordinance to issue a certificate of occupancy for a nonconforming use. Any nonconforming use for which an occupancy permit has not been obtained in conformity with the requirements of this section of this Article shall be presumed to be operating in violation of this Ordinance.

Section 4. A record of a certificate of occupancy shall be kept on file in the office of the administrative official charged with the enforcement of this Ordinance, and copies shall be furnished on request to any person having a proprietary or tenancy interest in land or in a building affected by such certificate of occupancy.

ARTICLE XX. PLATS

Each application for a building permit shall be accompanied by a plat in duplicate drawn to scale, showing the actual dimensions of the lot to be built upon, the size and location of the building or buildings to be erected or altered and such other information as may be necessary to provide for the enforcement of this Ordinance. A careful record of such applications and plats shall be kept in the office of the Superintendent of Building Construction.

ARTICLE XXI. INTERPRETATION AND PURPOSE

It is not intended by this Ordinance to repeal, abrogate, annul, or in any way impair or interfere with any existing provision of law or ordinance previously adopted, relating to the use of buildings or premises, now in force and effect in relation thereto, except expressly provided by Article XXVI hereof; nor is it intended by this Ordinance to interfere with, abrogate, or annul any easements, covenants, or other agreements between parties; provided, however, that where this Ordinance imposes a greater restriction upon the use of buildings or premises than are imposed or required by such existing provision of law, ordinance, rules, regulations, permits, easements, covenants, or agreements, the provisions of this Ordinance shall control.

ARTICLE XXII. AMENDMENTS

The regulations imposed and the districts created under this Ordinance may be amended by ordinance, but no such amendments shall be made without a hearing before the City Plan Commission created pursuant to ordinance.

At least fifteen (15) days notice of the time and place of such hearing shall be published in a paper of general circulation in the City of Champaign, said notice to contain the particular location for which the amendment is requested as well as a brief statement describing the proposed amendment. In case of written protest against the proposed amendment signed and acknowledged by the owners of twenty (20) percent of the frontage proposed to be altered or by the owners of twenty (20) percent of the frontage immediately adjoining or across the alley therefrom, or by the owners of twenty (20) percent of the frontage directly opposite the frontage proposed to be altered as to such regulations or district, filed with the City Clerk, such amendment shall not be passed except by the favorable vote of two-thirds (2/3) of all of the members of the Council of the City of Champaign.

ARTICLE XXIII. ENFORCEMENT AND PENALTY

Section 1. It shall be the duty of the Superintendent of Building Construction to enforce this Ordinance.

Section 2. Any person, firm or corporation who violates, disobeys, omits, neglects, or refuses to comply with, or who resists the enforcement of any of the provisions of this Ordinance shall, upon conviction, be fined not more than two hundred dollars, (\$200.00) for each offense. Each day that a violation shall exist shall constitute a separate offense.

Section 3. In case any building or structure is erected, constructed, reconstructed, altered, repaired, converted, or maintained, or any building, structure or land is used in violation of this Ordinance, the Superintendent of Building Construction, in addition to other remedies, may institute any proper action or proceedings in the name of the City of Champaign to prevent such unlawful erection, construction, reconstruction, alteration, repair, conversion, maintenance, or use, to restrain, correct or abate such violation, to prevent the occupancy of said building, structure or land, or to prevent any illegal act, conduct, business or use in or about said premises

ARTICLE XXIV.

Fees for certificates of occupancy, appeals to the Board of Appeals and petitions for amendments shall be as established by action of the City Council from time to time. Such fees shall be paid to the Superintendent of Building Construction who shall give a receipt therefor and account for same at regular intervals to the City Council.

ARTICLE XXV. VALIDITY

Should any section or provision of this Ordinance be declared by a court of competent jurisdiction to be invalid, such decision shall not affect the validity of the ordinance as a whole or any part thereof, other than the part so declared to be invalid.

ARTICLE XXVI. REPEAL

An ordinance entitled "Zoning Ordinance for Champaign, Illinois" passed September 14, A. D. 1926 and published September 23, 1926, as amended from time to time, is hereby repealed.

ARTICLE XXVII. EFFECTIVE DATE

This Ordinance is declared to be urgent and necessary for the immediate preservation of the public peace, health and safety, and shall therefor take effect and be in full force ten days after its publication as provided by law.

ARTICLE XXVIII. PUBLICATION

The City Clerk shall certify to the passage and approval of this Ordinance and cause the same to be published in pamphlet form.

Passed _____

Approved _____

Recorded _____

_____ Mayor

ATTEST:

_____ City Clerk

APPENDIX B

LAND USE BY NEIGHBORHOODS - 1956

Champaign, Illinois

Use	<u>Neighborhood Number*</u>										
	V	VA	VI	VII	VIII	IX	X	XA	XI		
Single-Family Residence	47.5	20.6	62.6	248.9	121.0	127.0	213.3	58.2	298.8		
Two-Family Residence	23.1	8.7	12.9	23.1	39.2	13.7	18.1	2.1	0.0		
Multiple Dwelling	90.0	6.6	.8	16.1	38.3	1.7	6.4	6.9	1.2		
Public & Semipublic	292.1	4.9	3.3	17.2	31.4	7.6	3.3	1.8	61.1		
Parks & Playground	6.9	0.0	4.1	1.0	12.5	1.8	7.0	1.7	5.0		
Commercial	18.7	5.7	1.8	16.9	29.5	1.7	2.0	9.8	1.0		
Light Industry	12.0	6.3	3.8	15.6	24.2	19.7	.1	7.6	0.0		
Heavy Industry	0.0	1.5	10.5	1.6	.8	2.8	7.2	5.1	0.0		
Railroads	15.6	9.1	10.7	8.0	28.0	18.4	11.1	6.7	0.0		
Vacant	4.0	1.9	39.0	55.8	25.1	46.1	27.4	77.0	88.2		
Streets	<u>134.3</u>	<u>34.2</u>	<u>45.2</u>	<u>146.8</u>	<u>134.0</u>	<u>83.3</u>	<u>106.8</u>	<u>36.4</u>	<u>141.3</u>		
TOTAL	644.2	99.5	194.7	551.0	484.0	323.8	402.7	213.3	596.6		
Number of Dwelling Units	777.	476.	2029.	1797.	2252.	1010.	402.7	1552.	1321.		

*Neighborhood Boundaries Based Upon Comprehensive Development Plan - Champaign-Urbana

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